

REMARKS

In view of the following remarks, reconsideration is respectfully requested.

In the Final Rejection mailed October 12, 2005, claims 1-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Uzoh in view of Chen. In order to discuss this rejection, a telephonic interview was conducted with Examiner Vinh on December 12, 2005. The courtesies extended by Examiner Vinh during this interview are greatly appreciated.

During the interview, it was explained by Applicants' undersigned representative as to why it is believed that Uzoh cannot be said to disclose ejecting an etching solution "from above the metal film" as required by claim 1. In this regard, in reading this limitation on Uzoh the Examiner took the position that at least one of openings 99 is shown to eject an electrolyte flow 101 from above portion 15 of the metal film formed on wafer 3. Fig. 3d apparently shows flow 101 being ejected from above portion 15; however, as pointed out by Applicant's undersigned representative, portion 15 is not part of the metal film on wafer 3, but rather portion 15 is disclosed as "unwanted metal". Thus, though portion 15 may be of the metal from which the metal film is made, this portion is separate from the metal film and does not form a part thereof. As such, Uzoh fails to disclose ejecting an etching solution from above the metal film as required by claim 1.

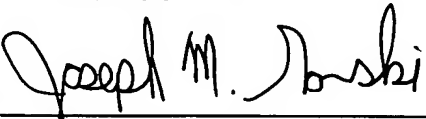
Examiner Vinh was in agreement, and stated that Uzoh is no longer applicable with regard to the rejection of claim 1 since the flow 101 of Uzoh is not supplied from above the metal film. Chen does not resolve this deficiency of Uzoh, and accordingly, claim 1 is not obvious over a combination of Uzoh and Chen, whereby claims 1-13 are allowable.

In view of the above remarks, it is respectfully submitted that the present application is in condition for allowance and an early Notice of Allowance is earnestly solicited.

If after reviewing these remarks, the Examiner believes that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the Applicants' undersigned representative by telephone to resolve such issues.

Respectfully submitted,

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